

# KING LAW FIRM

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October 17, 2005

Via Electronic Filing

**Commission Secretary**

Office of the Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Reply of Red River Networks, LLC ("Red River") to Comments of Trans  
National Communications International, Inc. ("TNCI") in DA 05.2374; WC  
Docket No. 05-264 - In the Matter of Domestic Section 214 Application Filed for  
Transfer of Control of Red River Networks, LLC to NOSVA Limited Partnership

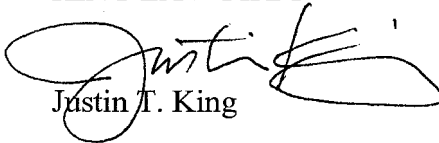
Dear Sir or Madam:

Transmitted herewith on behalf of Red River, please find Red River's reply to TNCI's  
comments in the above-referenced and styled proceeding before the Federal Communications  
Commission ("FCC").

Red River sincerely appreciates your attention to this matter. Please direct any questions  
to Justin King at (405) 239-6143.

Very truly yours,

KING LAW FIRM

  
Justin T. King

JTK/clw  
Attachments

cc: Phillips. McFall. McCaffrey. McVay and Murrah. P. C.  
Best Copy and Printing, Inc., FCC Duplicating Contractor  
Ms. Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, FCC  
Mr. Adam Kirschenbaum, Competition Policy Division, Wireline Competition Bureau, FCC  
Ms. Renee Crittendon, Competition Policy Division, Wireline Competition Bureau, FCC  
Susan O'Connell, Policy Division, International Bureau, FCC  
Mr. James Bird, Office of General Counsel, FCC

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

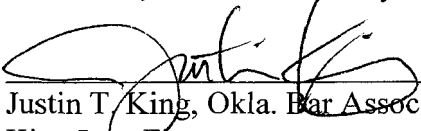
**IN THE MATTER OF THE DOMESTIC     )  
SECTION 214 APPLICATION FILED     )  
FOR TRANSFER OF CONTROL         )         **DA 05-2474**  
OF RED RIVER NETWORKS, LLC        )         **WC Docket 05-264**  
TO NOSVA LIMITED PARTNERSHIP     )**

**REPLY OF RED RIVER NETWORKS, LLC**  
**CERTIFICATE OF SERVICE**

**COMES NOW RED RIVER NETWORKS, LLC**, ("Red River") by and through its undersigned representative and herein affirms that on October 17, 2005, pursuant to rules of the Federal Communications Commission ("FCC"). Red River mailed, via the United States Postal Service, a true and correct copy of its reply in the above-styled proceeding for delivery to the below-noted recipients.

1. FCC duplicating contractor, Best Copy and Printing, Inc., 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554;
2. Ms. Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, FCC, 445 12<sup>th</sup> Street, S.W., Room 5-C212, Washington, D.C. 20554;
3. Mr. Adam Kirschenbaum, Competition Policy Division, Wireline Competition Bureau, FCC, 445 12<sup>th</sup> Street, S.W., Room 5-C211, Washington, D.C. 20554;
4. Ms. Renee Crittendon, Competition Policy Division, Wireline Competition Bureau, FCC, 445 12<sup>th</sup> Street, S.W., Room 5-C311, Washington, D.C. 20554;
5. Susan O'Connell, Policy Division, International Bureau, FCC, 445 12<sup>th</sup> Street, S.W., Room 7-B544, Washington, D.C. 20554; and
6. Mr. James Bird, Office of General Counsel, FCC, 445 12<sup>th</sup> Street, S.W., Room 8-C8242, Washington, D.C. 20554.

CERTIFICATE OF SERVICE AFFIRMED the 17<sup>th</sup> day of October, 2005, in the state of Oklahoma, Oklahoma County.

  
Justin T. King, Okla. Bar Assoc. #18745  
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**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

<b>IN THE MATTER OF THE DOMESTIC</b>	)	
<b>SECTION 214 APPLICATION FILED</b>	)	
<b>FOR TRANSFER OF CONTROL</b>	)	<b>DA 05-2474</b>
<b>OF RED RIVER NETWORKS, LLC</b>	)	<b>WC Docket 05-264</b>
<b>TO NOSVA LIMITED PARTNERSHIP</b>	)	

**REPLY OF RED RIVER NETWORKS, LLC TO COMMENTS FILED BY TRANS  
NATIONAL COMMUNICATIONS INTERNATIONAL, INC.**

COMES NOW RED RIVER NETWORKS, LLC, an Oklahoma limited liability company ("Red River") by and through its undersigned representative and herein files its reply to the comments (the "Comments") of Trans National Communications International, Inc. ("TNCI") in the above-referenced and styled Federal Communications Commission ("FCC" or the "Commission") proceeding. To wit, Red River objects to TNCI's Comments for the following reasons:

As noted in TNCI's Comments, a federal lawsuit filed in the United States District Court for the Western District of Oklahoma, Case No. CIV-03-1707-R (the "Lawsuit"), but the Lawsuit was concluded when a certain Mutual Release and Settlement Agreement (the "Settlement Agreement") was reached between the parties. Pursuant to the Settlement Agreement, Red River was to make certain payments to TNCI as redress for injuries alleged by TNCI in the pleadings prepared in connection with the Lawsuit. In the Comments, TNCI alleges that Red River breached the Settlement Agreement by failing to timely make the April 19, 2005 payment.

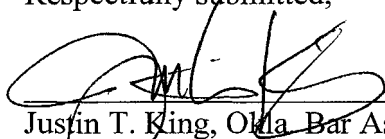
TNCI notified Red River on April 20th, 2005 that Red River was in breach of the Settlement Agreement as payment was due on April 19th, 2005. Red River promptly cured the breach by wiring funds to TNCI to satisfy the past-due payment. (*See attached wire transfer confirmation.*) Such cure is permitted pursuant to the confidential terms of the Settlement Agreement which provide for a 10-

day cure period. As noted by TNCI, the Settlement Agreement may be produced to the Commission if confidentiality may be preserved and if the Commission so orders.

Therefore, while Red River does not dispute that it technically breached the Settlement Agreement with an untimely payment, such breach was timely cured in accordance with the terms of the Settlement Agreement and therefore shall not be considered a breach of contract as TNCI was unharmed by the cured breach.

As Red River has demonstrated that TNCI's opposition to the Application of Red River for Transfer of Control is ill-founded, Red River hereby prays that the Commission DENY the relief requested by TNCI and GRANT Red River's application to transfer its assets. Red River further prays that its attorney fees be paid by TNCI for frivolously seeking said relief and for other such equitable relief the FCC may determine is just, reasonable and proper in this matter.

Respectfully submitted,



Justin T. King, Okla. Bar Assoc. #18745

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Oct 17 05 02:23p

RED RIVER NETWORKS

2362118

P.2

From: Wire Room

To: 914052362118

Wednesday, April 20, 13:06:23 2005

Outgoing Fed Funds Transfer Advice  
FACSIMILE TRANSACTION RECEIPT

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Dear RED RIVER NETWORKS LLC:  
ATTN:

This facsimile receipt serves as immediate notification of the following Fed Funds Transfer that will be DEBITED from your account number: 814141734 in the amount of \$3750.00 on 2005-04-20 00:00:00.

~ ~ ~ ~ ~ Outgoing Fed Funds Transfer Information ~ ~ ~ ~ ~

Sender:

Name : BK OF OKLA  
ABA # : 103900036  
Reference # : 20050420130547TJ  
Received from :  
By Order Of : RED RIVER NETWORKS LLC  
Fed Reference # : 20050420J3Q5020C000628

Receiver:

Name : CITIZENS PROV  
ABA # : 011500120

Intermediary Bank :

Beneficiary Name : TRANSNATIONAL COMMUNICATIONS  
Beneficiary Account : 1105079454

Beneficiary Bank :

Reference for Beneficiary :

Originator to Beneficiary : PAYMENT 4 OF 24

Bank to Bank Information :

Instructing Bank :

~ ~ ~ ~ ~ END Wire Transfer Information ~ ~ ~ ~ ~

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